

**REMARKS**

This is a full and timely response to the Office Action mailed July 18, 2003.

By this Amendment, claims 1, 4, 5, 9, 15, 25, 26, 28, 31, 38, 41-43, 46 and 62 have been amended and claims 3, 27 and 39 were cancelled without prejudice or disclaimer to their underlying subject matter. Specifically, Applicants have incorporated the subject matter of allowed claims 3, 27 and 39 into claims 1, 25 and 38, respectively. Applicants have also amended claims 5, 9, 15, 26, 28, 31, 41-43 and 46 to be in independent form by incorporating all the limitations of their respective base claims. Support for the claim amendments can be found variously throughout the specification, and specifically, in the original claims. Claims 1, 2, 4-26, 28-38 and 40-65 are pending in this application. By this Amendment, Applicants believe that all pending claims are in condition for allowance. Reexamination and reconsideration in light of the above amendments and the following remarks is respectfully requested.

**Claim Objections**

Claim 62 was objected based on informalities. Applicants traverse this objection since the claim element “**an organic nucleating agent**” in lines 5-6 of the claim is first introduced in the claim, and thus no antecedent basis is need. However, in the interest of expediting prosecution, Applicants have amended claim 62 to first define the biodegradable resin composition before the method step is presented in the claim. Thus, in light of this amendment, withdrawal of this objection is requested.

**Rejection under 35 U.S.C. §102(b)**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Michiyuki et al. (JP 62-152720). Applicants respectfully traverse this rejection.

However, in order to expedite prosecution, Applicants have incorporated the subject matter of allowed claim 3 into claim 1. Thus, in view of the above amendment to claim 1, withdrawal of this rejection is respectfully requested.

Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Michiyuki et al. (JP 62-152720). Applicants respectfully traverse this rejection. Applicants wish to note that they

have amended claim 5 to be in independent form, incorporating all the limitations of its base claim.

To constitute anticipation of the claimed invention, a single prior art reference must teach each and every limitation of the claims. Here, in this case, Michiyuki et al. (JP 62-152720) teach polyvinyl alcohol (PVA) products in various shapes higher in strength and elasticity modulus by a method wherein a **polyvinyl alcohol** molded part is oriented by heating with microwaves in two steps at specified orienting temperatures. However, claim 5 of the present application teaches a method for improving a biodegradable resin material in elastic modulus, by irradiating a biodegradable resin material (comprised mainly of a biodegradable resin which is defined in the claim as an **aliphatic polyester resin**) with a microwave.

Aliphatic polyester resins are a family of resins which is different from that of polyvinyl alcohol. As stated on page 3, lines 22-26, of the specification,

*[C]urrently, plastics having biodegradability (biodegradable resins) are roughly classified into **three types** according to the **molecular skeleton**, i.e., one having an **aliphatic polyester resin**, one having **polyvinyl alcohol**, and one having polysaccharide.*

Since polyvinyl alcohols are not within the definition of aliphatic polyester resins of the present invention, this rejection can no longer be sustained and should be withdrawn.

#### **Rejections under 35 U.S.C. §102(e) or 103(a)**

Claims 25, 29, 30, 38 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being obvious over Matsudaira et al. (U.S. Patent 6,096,431). Applicant respectfully traverses this rejection.

However, in order to expedite prosecution, Applicants have incorporated the subject matter of allowed claims 27 and 39 into claims 25 and 38, respectively. Since claims 29, 30 and 40 are now dependent upon an allowed claim, this rejection can no longer be sustained and should be withdrawn.

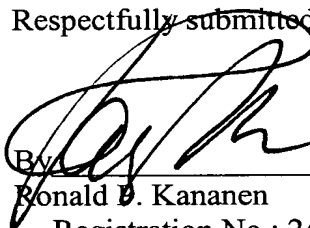
### CONCLUSION

For the foregoing reasons, all the claims now pending in the present application are believed to be clearly patentable over the outstanding rejections. Accordingly, favorable reconsideration of the claims in light of the above amendments and remarks is courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Lee Cheng or the undersigned attorney at the below-listed number.

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*October 15, 2003*

Respectfully submitted,



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